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133638DREMARKS

Claim Objection

1. The Examiner's objection to Claim 11 has been studied and the Applicants have amended Claim 11 in accordance with the Examiner's requirement and suggestion.

Claim Rejections - 35 USC §103(a)

2. The Examiner's rejection of Claims 1-10 and 16 under 35 U.S.C. 103(a) as being unpatentable over Johnson (USPN 5,404,713) in view of DiPietro, Jr. (USPN 6,339,927), has been studied and the Applicants have amended Claim 1 to include the further limitation of "a variable throat area engine nozzle downstream and axially aft of a counter-rotatable second low pressure turbine drivingly connected to the first counter-rotatable fan" and amended allowable but objected to Claims 11-15, 17-20, and 22 in accordance with the Examiner's suggestions.

Therefore, the Applicants respectfully submit that the amendments overcome the Examiner's rejection of Claims 1-10 and 16 under 35 U.S.C. 103(a) as being unpatentable over Johnson (USPN 5,404,713) in view of DiPietro, Jr. (USPN 6,339,927) and that Claims 1-10 and 16 are now in condition for allowance.

Allowable Subject Matter

3. The Applicants would like to thank the Examiner for allowance of Claims 11-15, 17-20, and 22. The Applicants have rewritten Claims 11-15, 17-20, and 22 in independent form, where appropriate, including all of the limitations of the base claim and any intervening claims in accordance with the

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Examiner's suggestion. The Applicants respectfully submit that Claims 11-15, 17-20, and 22 are now in condition for allowance and request that they be passed on to issue.

Withdrawn Claims

4. The Applicants request that the restriction requirement be withdrawn and that withdrawn Claims 21 and 23-55 be allowed with an Examiner's amendment to Claim 37 as suggested below.

Claim 37. (withdrawn) An engine as claimed in claim 6 further comprising:

- a plurality of circumferentially disposed hollow struts in fluid flow communication with the FLADE duct,

- a substantially hollow centerbody supported by and in fluid flow communication with the hollow struts,

- a variable area flade air nozzle including an axially translatable plug within the hollow centerbody and a radially outwardly positioned fixed nozzle cowling of the centerbody,

- a the variable throat area engine nozzle downstream and axially aft of ~~the counter-rotatable second low pressure turbine and~~ the fan bypass duct,

- the second counter-rotatable fan having axially spaced apart rows of first and second stage blades and a row of second stage fan vanes therebetween, and

- the row of FLADE fan blades disposed radially outwardly of and drivingly connected to the row of second stage blades.

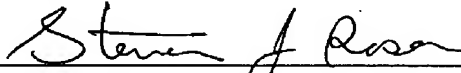
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Withdrawn Claims 21 and 23-55 all depend from amended Claim 1 which the Applicants suggest is now in condition for allowance.

The Applicants respectfully submit that all Claims 1-55 are now in condition for allowance and request that they be passed on to issue.

Respectfully submitted,



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